

**CERTIFICATE OF FAXING**

**LUD 5531.1 DIV(10101429)**

I hereby certify that this correspondence is being facsimiled to Special Program Examiner Jelle Burke whose fax number is 1703 308-7230 and to Examiner Marianne DiBrino whose fax number is 1703 872-9306 at the Commissioner of Patents, P.O. BOX 1450, Alexandria, VA 22313-1450 on December 17, 2003. By Rani Malikouzaklis

Signature: Rani Malikouzaklis

**RECEIVED  
CENTRAL FAX CENTER**

**DEC 17 2003**

**OFFICIAL**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

*Please enter NO 8/9/04*

Applicant(s) : Thierry Boon-Falleur, et al.  
Serial No. : 09/782,745  
Filed : February 13, 2001  
For : ISOLATED NUCLEIC ACID MOLECULES WHICH  
ENCODE GAGE GENES AND USES THEREOF  
Group Art Unit : 1644  
Examiner : Marianne DiBrino

Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

December 17, 2003

**RESPONSE TO DECISION ON PETITION  
AND TO ADVISORY ACTION**

Sir:

The Decision on Petition, dated December 5, 2003, gave applicants a two-month period to respond, i.e., request reconsideration. The Decision states:

"Absent a statement from applicant, which clearly sets forth that SEQ ID NOS: 14, 15, 16, 17, and 18 are not patentably distinct, one from another, these inventions will be considered patentably distinct."

In response, applicants now hereby state that SEQ ID NOS: 14, 15, 16, 17, and 18 are not patentably distinct. As such, SEQ ID NOS: 15, 16, 17, and 18 should be examined.

It is unclear which time frame applies for response. As noted, supra, the Decision on Petition set forth a 2-month period for response, so the due date would be February 5, 2004.

25367525.1